

MEMORANDUM

SUBJECT: Policy on the Issuance of Comfort/Status Letters

FROM: Steven A. Herman, Assistant Administrator
Office of Enforcement and Compliance Assurance

TO: Regional Counsels, Regions 1-10
Brownfields Coordinators, Regions 1-10
Director, Office of Site Remediation and Restoration, Region I
Director, Emergency and Remedial Response Division, Region II
Director, Hazardous Waste Management Division, Regions III and IX
Director, Waste Management Division, Region IV
Director, Superfund Division, Regions V, VI, and VII
Assistant Regional Administrator, Office of Ecosystems Protection and
Remediation, Region VIII
Director, Environmental Cleanup Office, Region X

This memorandum transmits the Office of Enforcement and Compliance Assurance's (OECA) *Policy on the Issuance of Comfort/Status Letters*. The attached policy contains four sample comfort/status letters and a general policy regarding their use for parties interested in brownfield cleanup and reuse. The sample letters are intended to address the most common inquiries received by EPA regarding brownfield properties. The letters provide a party any releasable information EPA has pertaining to a particular piece of property, what that information means, and the likelihood or current plans EPA has to take Federal Superfund action. The "comfort" comes from knowing what EPA knows about the property and what its intentions are in terms of a Superfund response. Comfort/status letters may be considered when they may facilitate the cleanup and redevelopment of brownfields, where there is a realistic perception or probability of incurring Superfund liability, **and** where there is no other mechanism available to adequately address a party's concerns.

Additional information on this policy and appropriate use of comfort/status letters is available from Elisabeth Freed at (202) 564-5117 or Lori Boughton at (202) 564-5106 in the Office of Site Remediation Enforcement.

Attachment

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